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**From:** Oakes, Matthew (ENRD) [Matthew.Oakes@usdoj.gov]  
**Sent:** 5/17/2021 7:51:16 PM  
**To:** Aranda, Amber [aranda.amber@epa.gov]  
**CC:** Neumann, Jennifer Scheller (ENRD) [Jennifer.Neumann@usdoj.gov]  
**Subject:** RE: hardeman v monsanto decision

Thanks Amber --

**Ex. 5 Attorney Client (AC)**

-Matt

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**From:** Aranda, Amber <aranda.amber@epa.gov>  
**Sent:** Monday, May 17, 2021 3:15 PM

**To:** Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>

**Subject:** RE: hardeman v monsanto decision

## Ex. 5 Attorney Client (AC)

Amber L. Aranda  
Environmental Protection Agency  
Office of General Counsel  
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**From:** Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>

**Sent:** Friday, May 14, 2021 12:28 PM

**To:** Neumann, Jennifer Scheller (ENRD) <Jennifer.Neumann@usdoj.gov>; justin.smith@usdoj.gov; Koch, Erin <Koch.Erin@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Aranda, Amber <aranda.amber@epa.gov>

**Subject:** hardeman v monsanto decision

The 9<sup>th</sup> Circuit opinion in the Hardeman v. Monsanto case just came out. This is the case where we filed an amicus brief arguing that any California state-based labeling requirements were preempted by FIFRA. The 9<sup>th</sup> Cir. affirmed the judgment of the district court and found that California law was consistent with FIFRA. I haven't read the decision yet (it's long). I'll follow up if there is more to report.

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